

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Dominique Lamonz Tingle

Docket No. 5:11-CR-205-2H

Petition for Action on Supervised Release

COMES NOW Dewayne L. Smith, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Dominique Lamonz Tingle, who, upon an earlier plea of guilty to Distribution of a Quantity of Cocaine Base (Crack), Aiding and Abetting, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and Distribution of 28 Grams or More of Cocaine Base (Crack), Aiding and Abetting, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on June 12, 2012, to the custody of the Bureau of Prisons for a term of 36 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Dominique Lamonz Tingle was released from custody on April 21, 2014, at which time the term of supervised release commenced. On April 1, 2016, a Violation Report was submitted advising that on March 26, 2016, the defendant was charged in Wilson County, North Carolina, with Driving While License Revoked (16CR701470). Tingle admitted guilt. The defendant was instructed not to drive until properly licensed, and the court agreed to continue supervision. On April 26, 2016, a Petition for Action was submitted advising that on April 6, 2016, the defendant was charged in Wilson County with Driving While License Revoked (16CR701569). Tingle failed to notify the probation officer within 72 hours of this charge as required. As a sanction for these violations, he was ordered to complete 5 days in jail. On May 11, 2016, a Violation Report was submitted advising that the defendant was charged in Wilson County with Driving While License Revoked (16CR1078). Tingle immediately notified the probation officer of this charge as required. Tingle admitted that he was in the driver's seat of his friend's vehicle while the engine was running; he vehemently denied driving. The court agreed to continue supervision pending adjudication of this charge, which remains pending. On August 30, 2016, a Petition for Action was submitted advising that on August 17, 2016, the defendant was charged in Wilson County with Driving While License Revoked (16CR703441). Tingle admitted guilt, and the court ordered that he adhere to a curfew with electronic monitoring for a period of 30 days.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On September 7, 2016, the defendant was charged in Edgecombe County, North Carolina, with Driving While License Revoked by Deputy K.L. Wooten with the Edgecombe County Sheriff's Department (16CR703543). The defendant admitted guilt and claimed that he had to take his daughter to a doctor's appointment. The defendant is currently on electronic monitoring. During a home inspection on September 20, 2016, the defendant requested mental health treatment due to his being depressed. We are recommending that he adhere to another 30 days curfew with electronic monitoring and attend mental health treatment as directed. The defendant signed a Waiver of Hearing agreeing to the proposed modifications of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall adhere to a curfew as directed by the probation officer for an additional period not to exceed 30 consecutive days. The defendant is restricted to his residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all probation requirements, instructions, and procedures provided by the probation officer.

The defendant shall participate in a program of mental health treatment as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

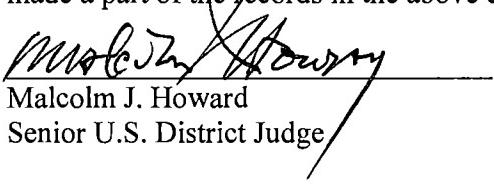
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Dewayne L. Smith
Dewayne L. Smith
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2338
Executed On: September 21, 2016

ORDER OF THE COURT

Considered and ordered this 22nd day of Sept, 2016 and ordered filed and made a part of the records in the above case.


Malcolm J. Howard
Senior U.S. District Judge